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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

APR 25 2005  
U.S. PATENT & TRADEMARK OFFICE  
SC174  
Docket No. 057810-0025

in re Application of

Ryosuke USUI, et al.

Application No.: 09/985,743

Filed: November 06, 2001

: Customer Number: 20277  
: Confirmation Number: 4232  
: Tech Center Art Unit: 2815  
: Examiner: Lee, Eugene  
:

For: SEMICONDUCTOR DEVICE HAVING ELEMENT ISOLATION TRENCH AND METHOD OF FABRICATING THE SAME

**NOTICE OF APPEAL  
FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the Official Action dated January 25, 2005 of the Primary Examiner rejecting claims 1-3, 6 and 18.

Appeal Fee: \$500.00

- Not required (fee paid in prior appeal in this application).
- Charge to Deposit Account No. 500417.
- Check Enclosed.

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Respectfully submitted,

McDERMOTT WILL & EMERY LLP

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Please recognize our Customer No. 20277 as our correspondence address.